Officer Dwayne Blackwood’s Charging Document
DATE: 4/26/2019
TO: Officer Dwayne Blackwood (CCN 1766)
FROM: Sergeant Tarek Bazzi (CCN 1557)
SUBJECT: Internal Affairs Investigation 19-008

An investigation is being conducted into allegations made against you for violation of Fort Lauderdale Police Department Policy and Procedure Manual:

Fort Lauderdale Police Policies:

1. Policy 118 E 1 Attendance for Duty: "Failure to be present for duty as scheduled."

2. Policy 118 E 13 (e) Neglect of duty prohibited: "Unsatisfactory performance: Unsatisfactory performance may be demonstrated by, but is not limited to; an unwillingness or inability to perform assigned tasks, failure to take appropriate action on the occasion of a crime, disorder, or any other matter deserving police attention, repeated poor evaluations or a written record of repeated infractions of rules, order, or directives of the Department."

The name of the complainant is the Chief of Police, Rick Maglione.

An interview has been scheduled for you on Friday, May 3, 2019, at 12:00 p.m. at the Office of Internal Affairs located at 255 NE 3rd Avenue and your presence is required. You have the right to an attorney or any person of your choosing to be with you at that time. If you desire the services of an attorney or other representation, please coordinate it prior to your scheduled appointment. Additionally, your rights as a Florida law enforcement officer while under investigation are attached for your review.

Signature/CCN: [Signature]
Date: 4/26/19

Signature/CCN: [Signature]
Date: 4/26/19

CC: Victor London, Internal Affairs Commander
    Tarek Bazzi, Internal Affairs Detective Sergeant
LAW ENFORCEMENT AND CORRECTIONAL OFFICERS

(Florida Statutes 112.531-535)

112.531 Definitions.

112.532 Law enforcement officers' and correctional officers' rights.

112.533 Receipt and processing of complaints.

112.534 Failure to comply; official misconduct.

112.535 Construction.

112.531 Definitions.—As used in this part:

(1) "Law enforcement officer" means any person, other than a chief of police, who is employed full time by any municipality or the state or any political subdivision thereof and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, traffic, or highway laws of this state; and includes any person who is appointed by the sheriff as a deputy sheriff pursuant to s. 30.07.

(2) "Correctional officer" means any person, other than a warden, who is appointed or employed full time by the state or any political subdivision thereof whose primary responsibility is the supervision, protection, care, custody, or control of inmates within a correctional institution; and includes correctional probation officers, as defined in s. 943.10(3). However, the term "correctional officer" does not include any secretarial, clerical, or professionally trained personnel.

History.—s. 1, ch. 74-274; s. 1, ch. 75-41; s. 34, ch. 77-104; s. 1, ch. 82-156; s. 1, ch. 89-223; s. 1, ch. 93-19; s. 3, ch. 2000-161.

112.532 Law enforcement officers' and correctional officers' rights.—All law enforcement officers and correctional officers employed by or appointed to a law enforcement agency or a correctional agency shall have the following rights and privileges:

(1) RIGHTS OF LAW ENFORCEMENT OFFICERS AND CORRECTIONAL OFFICERS WHILE UNDER INVESTIGATION.—Whenever a law enforcement officer or correctional officer is under investigation and subject to interrogation by members of his or her agency for any reason that could lead to disciplinary action, suspension, demotion, or dismissal, the interrogation must be conducted under the following conditions:

(a) The interrogation shall be conducted at a reasonable hour, preferably at a time when the law enforcement officer or correctional officer is on duty, unless the seriousness of the investigation is of such a degree that immediate action is required.
(b) The interrogation shall take place either at the office of the command of the investigating officer or at the office of the local precinct, police unit, or correctional unit in which the incident allegedly occurred, as designated by the investigating officer or agency.

(c) The law enforcement officer or correctional officer under investigation shall be informed of the rank, name, and command of the officer in charge of the investigation, the interrogating officer, and all persons present during the interrogation. All questions directed to the officer under interrogation shall be asked by or through one interrogator during any one investigative interrogation, unless specifically waived by the officer under investigation.

(d) The law enforcement officer or correctional officer under investigation must be informed of the nature of the investigation before any interrogation begins, and he or she must be informed of the names of all complainants. All identifiable witnesses shall be interviewed, whenever possible, prior to the beginning of the investigative interview of the accused officer. The complaint, all witness statements, including all other existing subject officer statements, and all other existing evidence, including, but not limited to, incident reports, GPS locator information, and audio or video recordings relating to the incident under investigation, must be provided to each officer who is the subject of the complaint before the beginning of any investigative interview of that officer. An officer, after being informed of the right to review witness statements, may voluntarily waive the provisions of this paragraph and provide a voluntary statement at any time.

(e) Interrogating sessions shall be for reasonable periods and shall be timed to allow for such personal necessities and rest periods as are reasonably necessary.

(f) The law enforcement officer or correctional officer under interrogation may not be subjected to offensive language or be threatened with transfer, dismissal, or disciplinary action. A promise or reward may not be made as an inducement to answer any questions.

(g) The formal interrogation of a law enforcement officer or correctional officer, including all recess periods, must be recorded on audio tape, or otherwise preserved in such a manner as to allow a transcript to be prepared, and there shall be no unrecorded questions or statements. Upon the request of the interrogated officer, a copy of any recording of the interrogation session must be made available to the interrogated officer no later than 72 hours, excluding holidays and weekends, following said interrogation.

(h) If the law enforcement officer or correctional officer under interrogation is under arrest, or is likely to be placed under arrest as a result of the interrogation, he or she shall be completely informed of all his or her rights before commencing the interrogation.

(i) At the request of any law enforcement officer or correctional officer under investigation, he or she has the right to be represented by counsel or any other representative of his or her choice, who shall be present at all times during the interrogation whenever the interrogation relates to the officer’s continued fitness for law enforcement or correctional service.

(j) Notwithstanding the rights and privileges provided by this part, this part does not limit the right of an agency to discipline or to pursue criminal charges against an officer.

(2) COMPLAINT REVIEW BOARDS.—A complaint review board shall be composed of three members: One member selected by the chief administrator of the agency or unit; one
member selected by the aggrieved officer; and a third member to be selected by the other two members. Agencies or units having more than 100 law enforcement officers or correctional officers shall utilize a five-member board, with two members being selected by the administrator, two members being selected by the aggrieved officer, and the fifth member being selected by the other four members. The board members shall be law enforcement officers or correctional officers selected from any state, county, or municipal agency within the county. There shall be a board for law enforcement officers and a board for correctional officers whose members shall be from the same discipline as the aggrieved officer. The provisions of this subsection shall not apply to sheriffs or deputy sheriffs.

(3) CIVIL SUITS BROUGHT BY LAW ENFORCEMENT OFFICERS OR CORRECTIONAL OFFICERS.—Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer’s official duties, for abridgment of the officer’s civil rights arising out of the officer’s performance of official duties, or for filing a complaint against the officer which the person knew was false when it was filed. This section does not establish a separate civil action against the officer’s employing law enforcement agency for the investigation and processing of a complaint filed under this part.

(4) NOTICE OF DISCIPLINARY ACTION.—A dismissal, demotion, transfer, reassignment, or other personnel action that might result in loss of pay or benefits or that might otherwise be considered a punitive measure may not be taken against any law enforcement officer or correctional officer unless the law enforcement officer or correctional officer is notified of the action and the reason or reasons for the action before the effective date of the action.

(b) Notwithstanding s. 112.533(2), whenever a law enforcement officer or correctional officer is subject to disciplinary action consisting of suspension with loss of pay, demotion, or dismissal, the officer or the officer’s representative shall, upon request, be provided with a complete copy of the investigative file, including the final investigative report and all evidence, and with the opportunity to address the findings in the report with the employing law enforcement agency before imposing disciplinary action consisting of suspension with loss of pay, demotion, or dismissal. The contents of the complaint and investigation shall remain confidential until such time as the employing law enforcement agency makes a final determination whether or not to issue a notice of disciplinary action consisting of suspension with loss of pay, demotion, or dismissal. This paragraph does not provide law enforcement officers with a property interest or expectancy of continued employment, employment, or appointment as a law enforcement officer.

(5) RETALIATION FOR EXERCISING RIGHTS.—No law enforcement officer or correctional officer shall be discharged; disciplined; demoted; denied promotion, transfer, or reassignment; or otherwise discriminated against in regard to his or her employment or appointment, or be threatened with any such treatment, by reason of his or her exercise of the rights granted by this part.

(6) LIMITATION PERIOD FOR DISCIPLINARY ACTIONS.—

(a) Except as provided in this subsection, disciplinary action, suspension, demotion, or dismissal may not be undertaken by an agency against a law enforcement officer or correctional
officer for any act, omission, or other allegation of misconduct if the investigation of the allegation is not completed within 180 days after the date the agency receives notice of the allegation by a person authorized by the agency to initiate an investigation of the misconduct. If the agency determines that disciplinary action is appropriate, it shall complete its investigation and give notice in writing to the law enforcement officer or correctional officer of its intent to proceed with disciplinary action, along with a proposal of the specific action sought, including length of suspension, if applicable. Notice to the officer must be provided within 180 days after the date the agency received notice of the alleged misconduct, except as follows:

1. The running of the limitations period may be tolled for a period specified in a written waiver of the limitation by the law enforcement officer or correctional officer.

2. The running of the limitations period is tolled during the time that any criminal investigation or prosecution is pending in connection with the act, omission, or other allegation of misconduct.

3. If the investigation involves an officer who is incapacitated or otherwise unavailable, the running of the limitations period is tolled during the period of incapacitation or unavailability.

4. In a multijurisdictional investigation, the limitations period may be extended for a period of time reasonably necessary to facilitate the coordination of the agencies involved.

5. The running of the limitations period may be tolled for emergencies or natural disasters during the time period wherein the Governor has declared a state of emergency within the jurisdictional boundaries of the concerned agency.

6. The running of the limitations period is tolled during the time that the officer's compliance hearing proceeding is continuing beginning with the filing of the notice of violation and a request for a hearing and ending with the written determination of the compliance review panel or upon the violation being remedied by the agency.

(b) An investigation against a law enforcement officer or correctional officer may be reopened, notwithstanding the limitations period for commencing disciplinary action, demotion, or dismissal, if:

1. Significant new evidence has been discovered that is likely to affect the outcome of the investigation.

2. The evidence could not have reasonably been discovered in the normal course of investigation or the evidence resulted from the predisciplinary response of the officer.

Any disciplinary action resulting from an investigation that is reopened pursuant to this paragraph must be completed within 90 days after the date the investigation is reopened.

History—s. 2, ch. 74-274; s. 2, ch. 82-156; s. 2, ch. 93-19; s. 721, ch. 93-147; s. 1, ch. 98-249; s. 1, ch. 2000-184; s. 1, ch. 2003-149; s. 3, ch. 2005-100; s. 1, ch. 2007-110; s. 1, ch. 2009-200.

112.533 Receipt and processing of complaints.—
(1)(a) Every law enforcement agency and correctional agency shall establish and put into operation a system for the receipt, investigation, and determination of complaints received by such agency from any person, which shall be the procedure for investigating a complaint against a law enforcement and correctional officer and for determining whether to proceed with disciplinary action or to file disciplinary charges, notwithstanding any other law or ordinance to the contrary. When law enforcement or correctional agency personnel assigned the responsibility of investigating the complaint prepare an investigative report or summary, regardless of form, the person preparing the report shall, at the time the report is completed:

1. Verify pursuant to s. 92.525 that the contents of the report are true and accurate based upon the person's personal knowledge, information, and belief.

2. Include the following statement, sworn and subscribed to pursuant to s. 92.525:

   "I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes."

The requirements of subparagraphs 1. and 2. shall be completed prior to the determination as to whether to proceed with disciplinary action or to file disciplinary charges. This subsection does not preclude the Criminal Justice Standards and Training Commission from exercising its authority under chapter 943.

(b)1. Any political subdivision that initiates or receives a complaint against a law enforcement officer or correctional officer must within 5 business days forward the complaint to the employing agency of the officer who is the subject of the complaint for review or investigation.

2. For purposes of this paragraph, the term "political subdivision" means a separate agency or unit of local government created or established by law or ordinance and the officers thereof and includes, but is not limited to, an authority, board, branch, bureau, city, commission, consolidated government, county, department, district, institution, metropolitan government, municipality, office, officer, public corporation, town, or village.

(2)(a) A complaint filed against a law enforcement officer or correctional officer with a law enforcement agency or correctional agency and all information obtained pursuant to the investigation by the agency of the complaint is confidential and exempt from the provisions of s. 119.07(1) until the investigation ceases to be active, or until the agency head or the agency head's designee provides written notice to the officer who is the subject of the complaint, either personally or by mail, that the agency has either:

1. Concluded the investigation with a finding not to proceed with disciplinary action or to file charges; or

2. Concluded the investigation with a finding to proceed with disciplinary action or to file charges.

Notwithstanding the foregoing provisions, the officer who is the subject of the complaint, along with legal counsel or any other representative of his or her choice, may review the
complaint and all statements regardless of form made by the complainant and witnesses and all existing evidence, including, but not limited to, incident reports, analyses, GPS locator information, and audio or video recordings relating to the investigation, immediately before beginning the investigative interview. All statements, regardless of form, provided by a law enforcement officer or correctional officer during the course of a complaint investigation of that officer shall be made under oath pursuant to s. 92.525. Knowingly false statements given by a law enforcement officer or correctional officer under investigation may subject the law enforcement officer or correctional officer to prosecution for perjury. If a witness to a complaint is incarcerated in a correctional facility and may be under the supervision of, or have contact with, the officer under investigation, only the names and written statements of the complainant and nonincarcerated witnesses may be reviewed by the officer under investigation immediately prior to the beginning of the investigative interview.

(b) This subsection does not apply to any public record which is exempt from public disclosure pursuant to chapter 119. For the purposes of this subsection, an investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding is made within 45 days after the complaint is filed.

(c) Notwithstanding other provisions of this section, the complaint and information shall be available to law enforcement agencies, correctional agencies, and state attorneys in the conduct of a lawful criminal investigation.

3. A law enforcement officer or correctional officer has the right to review his or her official personnel file at any reasonable time under the supervision of the designated records custodian. A law enforcement officer or correctional officer may attach to the file a concise statement in response to any items included in the file identified by the officer as derogatory, and copies of such items must be made available to the officer.

4. Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation and the subject's legal counsel or a representative of his or her choice, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including, but not limited to, the identity of the officer under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. However, this subsection does not limit a law enforcement or correctional officer's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

History.—s. 3, ch. 74-274; s. 3, ch. 82-156; s. 1, ch. 82-405; s. 1, ch. 83-136; s. 1, ch. 87-59; s. 2, ch. 89-223; s. 1, ch. 90-32; s. 31, ch. 90-360; s. 3, ch. 93-19; s. 722, ch. 95-147; s. 39, ch. 96-406; s. 2, ch. 98-249; s. 2, ch. 2000-184; s. 2, ch. 2003-149; s. 33, ch. 2004-335; s. 42, ch. 2005-291; s. 2, ch. 2007-110; s. 1, ch. 2007-118; s. 2, ch. 2009-203.
(1) If any law enforcement agency or correctional agency, including investigators in its internal affairs or professional standards division, or an assigned investigating supervisor, intentionally fails to comply with the requirements of this part, the following procedures apply. For purposes of this section, the term "law enforcement officer" or "correctional officer" includes the officer's representative or legal counsel, except in application of paragraph (d).

(a) The law enforcement officer or correctional officer shall advise the investigator of the intentional violation of the requirements of this part which is alleged to have occurred. The officer's notice of violation is sufficient to notify the investigator of the requirements of this part which are alleged to have been violated and the factual basis of each violation.

(b) If the investigator fails to cure the violation or continues the violation after being notified by the law enforcement officer or correctional officer, the officer shall request the agency head or his or her designee be informed of the alleged intentional violation. Once this request is made, the interview of the officer shall cease, and the officer's refusal to respond to further investigative questions does not constitute insubordination or any similar type of policy violation.

(c) Thereafter, within 3 working days, a written notice of violation and request for a compliance review hearing shall be filed with the agency head or designee which must contain sufficient information to identify the requirements of this part which are alleged to have been violated and the factual basis of each violation. All evidence related to the investigation must be preserved for review and presentation at the compliance review hearing. For purposes of confidentiality, the compliance review panel hearing shall be considered part of the original investigation.

(d) Unless otherwise remedied by the agency before the hearing, a compliance review hearing must be conducted within 10 working days after the request for a compliance review hearing is filed, unless, by mutual agreement of the officer and agency or for extraordinary reasons, an alternate date is chosen. The panel shall review the circumstances and facts surrounding the alleged intentional violation. The compliance review panel shall be made up of three members: one member selected by the agency head, one member selected by the officer filing the request, and a third member to be selected by the other two members. The review panel members shall be law enforcement officers or correctional officers who are active from the same law enforcement discipline as the officer requesting the hearing. Panel members may be selected from any state, county, or municipal agency within the county in which the officer works. The compliance review hearing shall be conducted in the county in which the officer works.

(e) It is the responsibility of the compliance review panel to determine whether or not the investigator or agency intentionally violated the requirements provided under this part. It may hear evidence, review relevant documents, and hear argument before making such a determination; however, all evidence received shall be strictly limited to the allegation under consideration and may not be related to the disciplinary charges pending against the officer. The investigative materials are considered confidential for purposes of the compliance review hearing and determination.

(f) The officer bears the burden of proof to establish that the violation of this part was intentional. The standard of proof for such a determination is by a preponderance of the
evidence. The determination of the panel must be made at the conclusion of the hearing, in writing, and filed with the agency head and the officer.

(g) If the alleged violation is sustained as intentional by the compliance review panel, the agency head shall immediately remove the investigator from any further involvement with the investigation of the officer. Additionally, the agency head shall direct an investigation be initiated against the investigator determined to have intentionally violated the requirements provided under this part for purposes of agency disciplinary action. If that investigation is sustained, the sustained allegations against the investigator shall be forwarded to the Criminal Justice Standards and Training Commission for review as an act of official misconduct or misuse of position.

(2)(a) All the provisions of s. 838.022 shall apply to this part.

(b) The provisions of chapter 120 do not apply to this part.

History.—s. 4, ch. 74-274; s. 35, ch. 77-104; s. 1, ch. 78-291; s. 4, ch. 82-156; s. 4, ch. 93-19; s. 3, ch. 2000-184; s. 8, ch. 2003-158; s. 3, ch. 2009-200; s. 5, ch. 2011-4; s. 6, ch. 2016-151.

112.535 Construction.—The provisions of chapter 93-19, Laws of Florida, shall not be construed to restrict or otherwise limit the discretion of the sheriff to take any disciplinary action, without limitation, against a deputy sheriff, including the demotion, reprimand, suspension, or dismissal thereof, nor to limit the right of the sheriff to appoint deputy sheriffs or to withdraw their appointment as provided in chapter 30. Neither shall the provisions of chapter 93-19, Laws of Florida, be construed to grant collective bargaining rights to deputy sheriffs or to provide them with a property interest or continued expectancy in their appointment as a deputy sheriff.

History.—s. 6, ch. 93-19.
Officer Blackwood's TeleStaff Schedules/Audits
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FLPD TeleStaff Schedule for District 2 Shift 2 on March 15, 2019
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<td>24226 Public Safety Aide</td>
<td></td>
<td>09:00 - 12:00</td>
<td>4.5</td>
</tr>
<tr>
<td>24230 Public Safety Aide</td>
<td></td>
<td>12:00 - 16:00</td>
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<tr>
<td>Police Officer</td>
<td></td>
<td>16:00 - 19:00</td>
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<td>Police Officer</td>
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<td>19:00 - 22:00</td>
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<td>22:00 - 05:00</td>
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<tr>
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<td>05:00 - 08:00</td>
<td>10</td>
</tr>
<tr>
<td>Station Report</td>
<td></td>
<td>07:00 - 08:00</td>
<td>8</td>
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<tr>
<td>Station Report</td>
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<td>08:00 - 10:00</td>
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<tr>
<td>Station Report</td>
<td></td>
<td>10:00 - 12:00</td>
<td>8</td>
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https://fpltelestaff.fortlauderdale.gov/roster/d/20190316?rosterv...
Adjusted FLPD TeleStaff Schedule for Officer
Blackwood on March 16, 2019
<table>
<thead>
<tr>
<th>Station Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Officer</td>
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<td>Police Officer</td>
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<tr>
<td>Station Reporting Office Days 0300-1700</td>
</tr>
<tr>
<td>20190316</td>
</tr>
<tr>
<td>08/18/2019 08:01:11</td>
</tr>
<tr>
<td>08:00 16:00</td>
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<td>Police Officer</td>
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<td>Police Officer</td>
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<td>Police Officer</td>
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5/9/2019, 9:38 AM
Officer Blackwood’s Suspension Letters/Discipline
FORT LAUDERDALE POLICE DEPARTMENT  
Supervisor/Employee Interview

Name: Dwayne Blackwood  
CCN #: 1768  
Date: August 10, 2017

Comments: On July 29, 2017 at 1645, you signed up to work overtime for District 3 Charlie Shift which was scheduled for August 10, 2017 from 1500 to 1900. You failed to be present for the overtime shift. You advised that you thought it was for the following week. You checked your calendar and realized that you made a mistake on the date. You are reminded that you are counted on to meet the minimum staffing level and attend the overtime shift. Being absent from a future overtime shift may result in discipline.

Supervisor Signature:

Supervisor Print Name: Sgt. Michael Sickels
Date: 08/16/17

Employee Signature:

Date: 08/16/17
Officer Blackwood’s 8 hours Suspension Letter regarding
November 9, 2018
October 22, 2018

Officer Dwayne Blackwood
1300 West Broward Boulevard
Fort Lauderdale, FL 33312

Dear Officer Blackwood:

You are hereby notified that you are being suspended from City employment as a Police Officer in the Police Department. Your suspension, without pay, for 8 hours is effective November 9, 2018.

You are being suspended because of the following deficiencies in performance and/or conduct:

On August 10, 2017, you were issued a Supervisor/Employee Interview form for failing to be present for duty for an overtime shift you had scheduled.

On February 15, 2018, you logged into TeleStaff and signed up for a patrol overtime slot and failed to be present. Your absence created a staffing shortage and affected the shift’s minimum staffing level. As a result, an officer was “mandated” to cover your scheduled slot.

On February 20, 2018, you failed to be present for an off-duty detail you previously signed up to work. Your position for the detail went unfilled and resulted in patrol officers being dispatched to the off-duty venue to handle a disturbance complaint.

On March 11, 2018, you logged into TeleStaff and signed up for a patrol overtime slot and failed to be present. Your position went unfilled and created a staffing shortage on the shift. As a result, your absence affected the shift’s minimum staffing level.

Your actions constitute a violation of Fort Lauderdale Police Department policy 118 E 1: “Attendance for Duty: Failure to be present for duty as scheduled.” Policy 118 E 13 (e): “Neglect of duty prohibited: Unsatisfactory performance. Unsatisfactory performance may be demonstrated by, but is not limited to; an unwillingness or inability to perform assigned tasks, failure to take appropriate action on the occasion of a crime, disorder, or any other matter deserving police attention, repeated poor evaluations or a written record of repeated infractions of rules, order, or directives of the Department.” Be advised that future occurrences of this nature may result in more severe discipline up to and including dismissal.
If you wish to meet with me for a hearing on the matter, you must file a written request within ten (10) working days from the date of receiving this letter. If a hearing is not requested, you will be suspended for the period indicated above.

Sincerely,

Rick J. Magione
Chief of Police

RJMVL

c: Lee R. Feldman, ICMA-CM, City Manager
    Tarlesha Smith, Director of Human Resources
    Janeen Richard, Employee Relations Manager
    Lynn Wenguer, Police & Fire Pension Administrator
    Police Personnel
    FOP

[Signature] 10/25/18
August 10, 2018

Officer Dwayne Blackwood
1300 West Broward Boulevard
Fort Lauderdale, FL 33312

Dear Officer Blackwood:

You are hereby notified that you are being suspended from City employment as a Police Officer in the Police Department. Your suspension, without pay, for two (2) days (16 hours) is effective September 19 and 20, 2018.

You are being suspended because of the following deficiencies in performance and/or conduct:

On August 10, 2017, you were issued a Supervisor/Employee Interview form for failing to be present for duty for an overtime shift you had scheduled.

On February 15, 2018, you logged into TeleStaff and signed up for a patrol overtime slot and failed to be present. Your absence created a staffing shortage and affected the shift’s minimum staffing level. As a result, an officer was transferred to cover your scheduled slot.

On February 20, 2018, you failed to be present for an off-duty detail you previously signed up to work. Your position for the shift was unfilled and resulted in patrol officers being dispatched to the off-duty venue to handle a disturbance complaint.

On March 16, 2018, you logged into TeleStaff and signed up for a patrol overtime slot and failed to be present. Your position went unfilled and created a staffing shortage on the shift. As a result, your absence affected the shift’s minimum staffing level.

Your actions constitute a violation of Fort Lauderdale Police Department policy 118 E 1: “Attendance for Duty: Failure to be present for duty as scheduled.” Policy 118 E 13 (e): “Neglect of duty prohibited: Unsatisfactory performance: Unsatisfactory performance may be demonstrated by, but is not limited to; an unwillingness or inability to perform assigned tasks, failure to take appropriate action on the occasion of a crime, disorder, or any other matter deserving police attention, repeated poor evaluations or a written record of repeated infractions of rules, order, or directives of the Department.”
Officer Dwayne Blackwood  
Page 2  
August 10, 2018

Be advised that future occurrences of this nature may result in more severe discipline up to and including dismissal.

If you wish to meet with me for a hearing on the matter, you must file a written request within ten (10) working days from the date of receiving this letter. If a hearing is not requested, you will be suspended for the period indicated above.

Sincerely,

Rick J. Maglione  
Chief of Police

RJM/VL

c: Lee R. Feldman, ICMA-CM, City Manager  
Averill Dorsett, Director of Human Resources  
Janeen Richard, Employee Relation Manager  
Lynn Wenguer, Police Fire Pension Administrator  
Police Pension  
FOP

I. McCarthy 13337
Officer Blackwood's 24 hours Suspension Letter regarding
March 14, 15, and 16, 2019
January 17, 2019

Officer Dwayne Blackwood
1300 West Broward Boulevard
Fort Lauderdale, FL 33312

Dear Officer Blackwood:

You are hereby notified that you are being suspended from City employment as a Police Officer in the Police Department. Your suspension, without pay, for three (3) days (24 hours) is effective March 14 (10 hours), 15 (10 hours), and 16 (4 hours), 2019.

You are being suspended because of deficiencies in performance and/or conduct. On July 4, 2018, you were a primary officer on the scene of a homicide investigation. On July 18, 2018, you were properly served a subpoena which mandated your appearance before the Grand Jury on July 25, 2018 at 08:00 AM to provide testimony about your knowledge of the homicide investigation. You did not appear as required nor were you properly excused. You admitted not having knowledge of the subpoena, despite being properly served, because you did not read your Departmental emails as required by policy. Your negligence jeopardized the successful prosecution of the homicide case.

Your actions constitute violation of Fort Lauderdale Police Department policy 103.0 M (1) (a): "All Department members shall respond to subpoenas." Be advised that future occurrences of this nature may result in more severe discipline up to and including dismissal.

If you wish to meet with me for a hearing on the matter, you must file a written request within ten (10) working days from the date of receiving this letter. If a hearing is not requested, you will be suspended for the period indicated above.

Sincerely,

Rick J. Maglione
Chief of Police

RJMMVL

C: Christopher J. Lagerbloom, ICMA-CM, City Manager
Tarisha Smith, Director of Human Resources
Janeen Richard, Employee Relations Manager
Lynn Wenguer, Police & Fire Pension Administrator
Police Personnel
FOP
Officer Blackwood's 40 hours Suspension Letter regarding
May 8, 9, 10, and 11, 2019
March 6, 2019

Officer Dwayne Blackwood
1300 West Broward Boulevard
Fort Lauderdale, FL 33312

Dear Officer Blackwood:

You are hereby notified that you are being suspended from City employment as a Police Officer in the Police Department. Your suspension, without pay, for four (4) days (40 hours) is effective May 8, 9, 10 and 11, 2019.

You are being suspended because of deficiencies in performance and/or conduct. On August 29, 2018, you were given a letter from Police Chief Rick Magilone which notified you of your suspension from employment as a police officer, without pay, for twenty-four hours due to deficiencies in performance. The suspension effective dates were October 3, 4, and 11, 2018. You signed the letter acknowledging your receipt and understood its requirements. You served the first two suspension dates as directed by the letter. However, on October 11, 2018, contrary to the instructions in the letter and without authorization, you worked your regular shift despite being scheduled to serve the remaining suspension. On October 12, 2018, you did not report to duty as scheduled and informed your supervisor you mistakenly thought you were serving the remaining suspension. As a result, you reported to duty two and a half hours after your scheduled duty time. The remaining suspension date had to be rescheduled. Your lack of diligence resulted in you being absent without leave and failure to follow the directive from the Chief of Police.

Your actions constitute violation of Fort Lauderdale Police Department policies: 118 E 1: "Attendance for Duty: Failure to be present for duty as scheduled," and 118 E 7 (b): "Disobedience to orders prohibited: Disobedience of any rule, order, or directive." Be advised that future occurrences of this nature may result in more severe discipline up to and including dismissal.

If you wish to meet with me for a hearing on the matter, you must file a written request within ten (10) working days from the date of receiving this letter. If a hearing is not requested, you will be suspended for the period indicated above.

Sincerely,

Rick J. Magilone
Chief of Police

RJM/VL

[Signature]

[Handwritten Date]

[Handwritten Signature]

[Handwritten Notes]

[Handwritten Notes]

[Handwritten Notes]

[Handwritten Notes]

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Cell Phone Text Messages between

Officer Blackwood and Sergeant Williams
Images of text messages taken from Sergeant Williams' cell phone regarding the communication between Officer Blackwood and Sergeant Williams on Saturday, March 16, 2019. The text messages shaded in blue are Sergeant Williams' responses. The text messages shaded in gray are Officer Blackwood's responses.

**Image #1**

Dwayne: 6:12 PM

Good afternoon, this is Sgt Williams. Is this Blackwood.

Hey Sgt

Yes this is

I have you down on the schedule for work today starting at 1300. What is your status?

Hey Sgt they have me suspended for the day

**Image #2**

Hey Sgt they have me suspended for the day

I had to serve a 3 day suspension

Yesterday 7:51 PM

You sure Sgt cause he was gonna come in for me

Paul was already in the city to work for me

I really can't go thru this all over again or Vacation time or Ct

**Image #3**

Officer (DC) 6:18 PM

You sure Sgt cause he was gonna come in for me

Paul was already in the city to work for me

I really can't go thru this all over again or Vacation time or Ct

The lt made the decision So nothing to worry about now. We will talk when you get back.
FLPD Email thread from Lieutenant Cortes to his Chain of Command
Command,

Officer Blackwood failed to show for his scheduled shift today. Telestaff shows he was scheduled for four (4) hours of suspension leave (1200-1600 hours added by Internal Affairs) and six (6) hours of regular duty (1600-2200). Upon noticing, Sergeant Williams alerted me to his absence and we began attempting to rule out any possible scheduling discrepancies. I contacted Internal Affairs to ensure their wasn’t an issue with his leave entry. Attached is Officer Blackwood’s signed suspension letter which outlines the dates & hours. In my presence, Sergeant Williams made contact with Officer Blackwood at approximately 1845 hours via telephone. He verbally relayed he was currently out of town. A Samsara check of his PAVe vehicle revealed it was parked at a location in Pembroke Pines. On a follow up phone call (short time delay) to Sergeant Williams, Officer Blackwood proffered having Officer Paul Johnson come in for the remainder of his shift. This was not accepted as the swing shift start time was imminent. I believe his remaining six (6) hours should be carried as “Leave-Not approved” but please advise. The breakdown of District 2 shift 2 staffing was as follows:

- Vacation (2)
- ADO (1)
- LD (1)
- K-9 [Special assignment Spring Break 1]
- Overtime Officers for staffing (3)
Officer Blackwood's FLPD Performance Planning Form
<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>WORK OBJECTIVES</th>
<th>PERFORMANCE STANDARDS (Time Schedule, Quality, Quantity, Resources)</th>
<th>PERFORMANCE NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Attendance for Duty: Be present for duty as scheduled.</td>
<td>1. Officer Blackwood will report to all scheduled work shifts, court, and/or assignments unless on pre-approved leave from his immediate supervisors.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Officer Blackwood shall not work any City Overtime or Off-Duty employment details with the exception of mandated overtime as needed by the Department.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Officer Blackwood is reminded that a failure to maintain this attendance objective may lead to the suspension of future details, suspension of PAVe privileges, and/or disciplinary action.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Officer Blackwood will successfully complete Managing Multiple Priorities training scheduled for October 19th, 2018.</td>
<td>1. Officer Blackwood will meet with a shift supervisor weekly to verify compliance.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Officer Blackwood is reminded the Employee Assistance Program is available to him and any immediate family members to assist in solving any personal problems that are possibly affecting his attendance at work.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. This performance plan will be in effect for a period of 50 days.</td>
<td></td>
</tr>
<tr>
<td>RATING</td>
<td>CODE</td>
<td>DESCRIPTION</td>
<td>STATUS</td>
</tr>
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</tr>
<tr>
<td>BAD</td>
<td>1</td>
<td>ATTITUDE - Refers to the degree of interest and motivation shown toward the job, the employee's receptiveness to suggestions, and the employee's attitude toward authority.</td>
<td>BAD</td>
</tr>
<tr>
<td>BAD</td>
<td>2</td>
<td>EFFICIENCY - Refers to the ability to work at the correct speed and pace with the right materials and equipment.</td>
<td>BAD</td>
</tr>
<tr>
<td>BAD</td>
<td>3</td>
<td>SAFETY - Refers to the ability to follow all OSHA and company safety rules and procedures.</td>
<td>BAD</td>
</tr>
<tr>
<td>BAD</td>
<td>4</td>
<td>GOAL ATTAINMENT - Refers to the employee's ability to meet or exceed all established goals and objectives.</td>
<td>BAD</td>
</tr>
<tr>
<td>BAD</td>
<td>5</td>
<td>JOB KNOWLEDGE - Refers to the employee's knowledge of the job, the ability to use equipment and tools, and the ability to follow oral and written instructions.</td>
<td>BAD</td>
</tr>
</tbody>
</table>

**Note:** The above ratings and evaluations are based on the employee's performance over the specified period. The employee is expected to improve in all areas to achieve satisfactory performance.
Officer: Dwayne Blackwood GCN#1768
Rated by: Sergeant Heather Lee #1811
Date: August 28, 2016

Officer Blackwood is currently assigned to District 2, Charlie Shift. I have been his immediate supervisor since January 2016. In preparation for this evaluation, I have reviewed his personnel file and spoken with Sergeant Sielekier and Sergeant O’Neal, who were his supervisors in the last rating period. Officer Blackwood is completing his 7th year of service with the City of Fort Lauderdale Police Department.

As an officer in District 2 he serves the entire district. Officer Blackwood represents the City of Fort Lauderdale well to the citizens and visitors who come to our city daily. Officer Blackwood works primarily in the central sector. He works well with others and has a positive attitude towards the job as a whole. Officer Blackwood needs to show more effort in taking his share of calls for service, clearing calls to assist with priority calls, clearing to back up his fellow officers and being more proactive when not on a call for service. He has been counseled on these issues and his performance will continue to be monitored.

Officer Blackwood always arrives to work on time and his uniform is always neat and clean. His PAVE vehicle and equipment are always kept in good working order. I have not seen any safety concerns with Officer Blackwood.

The automatic generated attendance rating ranked Officer Blackwood as “Outstanding” for this rating period. I concur with this rating. He also has not been involved in any accidents this evaluation period.

Officer Blackwood received one Division Level Commendation for his assistance in preventing a suicidal male from jumping off of I-95 and subsequently Baker Acting him thereby saving his life. He handled this matter in a professional, courteous and sympathetic manner. Officer Blackwood also received another positive commendation during this rating period for his participation in the Urban League of Broward County’s Operation Trust event. Officer Blackwood also received two written negative counseling slips during this rating period. One was for not handling two cases in a timely manner which negatively impacted the public’s interaction with them and the police department. The other was for not responding to a possible shooting due to the fact that he was not listening/monitoring his radio. Finally, Officer Blackwood received one suspension which was due to not turning in evidence in a timely manner.

Overall Officer Blackwood has the capability of being a great police officer, if he so desires. In regards to his future goals and aspirations in the department, Officer Blackwood has expressed his desire to continue to gain more experience and knowledge as a patrolman and eventually become a detective in the Special Victims unit. He is advised that in the coming year to strive to set higher standards of work product and performance. He is also advised to become more active in his quantity of work with more proactive patrolling efforts.
EMPLOYEE PERFORMANCE RATING REPORT SUPPLEMENT

EMPLOYEE: Officer Dwayne W. Blackwood  CCN 1768
RATER: Sgt. S. Hussey CCN 1235
DATE: September 22nd, 2017

Officer Blackwood has been assigned to Operations Division District 2 Shift 1 during this rating period. I have been his immediate supervisor since February 2015. To assist me in formulating this rating supplement I have reviewed his personnel file and attendance record. Additionally, I have spoken with Sergeants Heller and O'Neal, his other supervisors during this rating period and with Officer Blackwood himself for his input.

Officer Blackwood, in his ninth year of service, is a satisfactory contributor to the district/shift performing his duties primarily in the South Sector as 34845. He is also responsible for addressing Part 1 crime in his area of responsibility, answering calls for police services and conducting traffic enforcement. He conducts preliminary criminal investigations and prepares the appropriate reports for follow up investigations by detectives.

A review of the District/Shift Officer Statistics reveals that Officer Blackwood's work quantity is average among his peers. His quality of work also appears to be at the satisfactory level as well.

Officer Blackwood is proactive in self-initiated citizen/business community contacts. In an attempt to deter Part 1 crime he checks city parks, parking lots and businesses, and he conducts high visibility traffic enforcement.

Officer Blackwood occasionally does have his reports returned to him for correction from time to time, usually for something minor. He accepts constructive criticism and turns in the corrected reports without delay. Overall he has the ability to author thorough written police reports.

Officer Blackwood received a computer generated rating of "Outstanding" in the area of attendance. I conducted a closer examination of his sick time usage and learned that he used no sick time during this rating period. I concur with the computer generated rating.
On March 17th 2017 Officer Blackwood was recognised by Lt. Dew in a Shift Level Commendation for his participation in the apprehension of a subject who committed a Sudden Snatch/Robbery in Carter Park.

On August 3rd 2017 Officer Blackwood received a negative Supervisor/Employee Interview Form from Lt. Dew for failing to abide by FLUPD Policy 127.1(48) as it pertains to keeping his beard trimmed. He met with Lt. Dew, Sgt. O’Neal and I to address this issue and his attitude was argumentative.

On August 10th 2017 Officer Blackwood received a negative Supervisor/Employee Interview form from Sgt. Sleicher for failing to show up for an assigned overtime shift.

Officer Blackwood attended one school in addition to his yearly in-service training. That class was "Crime in the Black Community".

GOALS: In speaking with Officer Blackwood for his input on this rating supplem, he expressed that he has a desire to be more involved with Community Policing areas of the department. I feel, as well as Sergeants Heiler and O’Neal, that if Officer Blackwood applies himself to improving certain areas he would be a fine fit to Community Policing as well as School resource areas of the department and he could flourish in that environment. He was also encouraged him to utilize the various study materials available to help him achieve his goals.

Sgt. S. Hossey 1235
Officer Blackwood's 2018 Employee Performance Rating Report
Fort Lauderdale Police Department

EMPLOYEE PERFORMANCE EVALUATION

Officer Dwayne Blackwood
CCN 1788

Officer Blackwood has been a member of the Fort Lauderdale Police Department for 10 years. His current assignment is in the Operations Division assigned to Patrol, District 2, Evening Shift. I have been his immediate supervisor since February of 2018. I have reviewed his personnel file and conferred with current and previous supervisors in preparation for the evaluation.

During this rating period, Officer Blackwood was observed in performance of his daily duties and was found to have developed a pattern of deficiencies which needed to be addressed. Officer Blackwood's attitude and rapport with his peers and supervisors began to deteriorate, his work performance fell below standards of those of his peers and his time management skills caused staffing shortages due to his absences.

In an attempt to correct deficient work, Officer Blackwood was placed on two separate performance plans, which are detailed below, and he was individually coached in meetings throughout this rating period to determine if any underlying or extracurricular factors were affecting his work product. He attended a Microsoft Outlook class, to help him manage priorities, and he attended a Conflict Resolution course to assist with handling conflicts in a professional manner.

On November 11, 2017, Officer Blackwood was placed on a 90 day performance plan (ending on February 14, 2018) to correct deficient behavior in handling of calls for service in a timely fashion, ensuring he notifies dispatch of his activities, and to proactively respond to calls for service.

On March 16, 2018, Officer Blackwood was placed on a second performance plan for deficiencies with time management, for 30 days.

Officer Blackwood performed satisfactorily during each performance plan however, upon termination; he would revert back to unsatisfactory work performance.

On April 18, 2018, Officer Blackwood received a negative Supervisor/Employee form due to an accident he was involved in, which was found preventable.

On July 9, 2018, Officer Blackwood received a positive Supervisor/Employee form acknowledgment from Street Crimes Division Captain Glen Galt for his work on a delayed burglary, where he processed the scene and the latent prints he recovered resulted in positively identifying the culprit.
On August 10, 2018, Officer Blackwood was the subject of a sustained Complaint Control Form (CCF) for "Unsatisfactory Work Performance" and "Failure to be Present for Duty as Scheduled." He received a two (2) day suspension.

On August 24, 2018, Officer Blackwood was the subject of a sustained (CCF) for "Disrespect to a Superior Officer by Overt Actions" and "Carelessly, Negligently, or Intentionally Causing Waste Loss or Destruction of City Property." Officer Blackwood received a three (3) suspension.

In regards to Officer Blackwood's attitude, I did not observe Officer Blackwood positively engage with any of his peers and he generally kept to himself during briefings and during his shifts. In doing so, he was not looked upon as a team player and has seemingly not forged many positive working relationships with his peers on the shift. When met by a Supervisor to discuss poor performance, Dwayne violently acted out during an issuance of a performance plan, resulting in the (CCF) previously mentioned. His refusal to accept responsibility for his assigned area and work ethic were considered marginal during this rating period.

When Officer Blackwood is tasked with a community-based assignment, he rises to the challenge and is able to formulate a good working relationship with the public. On November 20, 2017, Officer Blackwood was among officers thanked for volunteering to be a part of Hoops for Harmony event. This event is a community-police relationship building event focused on bridging the communication gap and increase positive interactions between the Department and the community members. Dwayne also spends time outside of his duties to mentor and support underprivileged children throughout the community. During a volatile potential protest/riot after a homicide, he was able to meet with the family and because he built a good rapport, was able to prevent any violence. While these activities are admirable in nature, Dwayne should suggest or initiate new ways he can leverage these skills in his daily patrol duties and stimulate his peers to engage in like-minded ideology.

Officer Blackwood's quantity of work falls below the standards set forth by the shift and below the average standard set by his peers. I have not heard, nor have I seen any field interview reports to indicate proactive citizen encounters. These encounters could positively impact a neighborhood by reducing Part I crimes, create positive citizen contacts, and possibly identify prolific offenders in his sector. He generally only responds to calls for service, and only when dispatched to them. To date, he is well below the standard set forth by the shift in all aspects of performance despite having worked his shift plus several overtime shifts in Patrol. Officer Blackwood does not typically clear delayed, routine calls for service in order to respond to in-progress calls. I have not observed him on any high priority calls, to date.

Officer Blackwood is capable to respond to calls for service and conduct complete and proper investigations without having to seek advice from supervisors. He is able to determine whether crimes require subsequent follow up and is able to function on a daily basis on calls without supervision, as it pertains to response to calls for service.
Officer Blackwood routinely fails to follow Department rules and/or Directives in regards to submission of his reports in a timely fashion. Often times he will receive emails requesting missing reports that are in fact weeks late, thus requiring constant close supervision. Officer Blackwood will habitually leave for vacation or days off while not having completed reports by the end of his shift. He does not notify a supervisor that his paperwork would not be turned in at/or before the end of his shift. This results in dissatisfied victims and reporting persons, as they are unable to obtain reports. On several occasions, I returned reports to him for correction, and did not receive them back until several days later, further delaying reports being filed in records.

During this rating period Officer Blackwood received a computer generated rating of above satisfactory for sick time use, and I concur. He did not display a pattern of abuse of his sick time.

Goals:

Officer Blackwood is able to fully perform well and handle all aspects of the job as a police officer with little assistance from a supervisor, if he so chooses. His tenure on the job coupled with his prior law enforcement experience enable him to function above satisfactorily in his level of technical proficiency. To that effort, Officer Blackwood should strive to improve his overall performance and attitude by accepting responsibility for his actions, obtaining training in areas of deficiency, and identifying new and creative ways to leverage his passion for community outreach during his routine patrols.

Officer Blackwood has expressed interest in becoming a School Resource Officer. He has attended several conferences throughout the year involving community policing initiative. Officer Blackwood’s involvement in the community during his offtime is most commendable and he is encouraged to continue this during his shift. Once Dwayne consistently masters his current role of a Patrol Officer, I have no doubt Officer Blackwood could become a SRO.

Sgt. Margaret Dietrich
CCN: 1320
Training Class #1
**Course Description from City Hall**

<table>
<thead>
<tr>
<th>Start: 06/10/2019</th>
<th>09:00 AM</th>
<th>End: 06/10/2019</th>
<th>01:00 PM</th>
</tr>
</thead>
</table>

### Microsoft Outlook

Microsoft Outlook subdivides its functions into Mail, Calendar, Tasks, Contacts, and Journal. Many attendees are unaware of how simple the program makes it to juggle a hectic schedule, assign work and keep up with what people are doing.

---

**Lt. Gary Martin**  
**District: 2/Shift 2**  
**Fort Lauderdale Police Department**  
**954.823.8659 | GMartin@FortLauderdale.gov**

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Click here to add an appointment to your Outlook Calendar

Thank you for registering for Microsoft Outlook.

Date: Thursday, August 2, 2018
Time: 1p-5p
Location: City Hall 2nd floor, IT training room

ClassName: Microsoft Outlook
Venue: City Hall 2nd floor, IT training room
Start: 8/2/2018 1:00:00 PM
End: 8/2/2018 5:00:00 PM

Employee Information:
Emp No: ********
License No:
First Name: Dwayne
Last Name: Blackwood
Email Address: GMartin@fortlauderdale.gov
Phone: 954-828-5659
Department: POL
Supervisor Name: Lt. Gary Martin
Employee Contact Name: Registrant
Employee Email Address: DBlackwood@fortlauderdale.gov
Read my email from August 1, 2018

Lt. Gary Martin
District 2/Shift 2
Fort Lauderdale Police Department
954.828.5659 | GMartin@FortLauderdale.gov

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From: Gary Martin
Sent: Sunday, August 5, 2018 2:30 PM
To: Steven Sceifo <StevenS@FortLauderdale.gov>
Subject: FW: Training Opportunity - Conflict Resolution Strategies

Do you want to send him?

Lt. Gary Martin
District 2/Shift 2
Fort Lauderdale Police Department
954.828.5659 | GMartin@FortLauderdale.gov

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From: Victor London
Sent: Thursday, August 9, 2018 6:34 PM
To: Gary Martin
Cc: Steven Sceifo; Keven M. Dupree; Christa Cole
Subject: FW: Training Opportunity - Conflict Resolution Strategies

Gary: Please proceed with your recommended training if your command agrees.

Thanks,
From: Gary Martin
Sent: Wednesday, August 01, 2018 1:03 PM
To: Steven Sceflo; Victor London
Subject: FW: Training Opportunity - Conflict Resolution Strategies

Captains,

Would you please evaluate this course, or one similar, that may prove beneficial for Officer Dwayne Blackwood? I believe it may prove beneficial in providing him a skillset that he may be not currently possess.

On a different note, I signed him up for a free Microsoft Outlook class presented at City Hall tomorrow. My hopes are that he acquires some time management skills to help with his scheduling issues of late.

Lt. Gary Martin
District 2/Shift 2
Fort Lauderdale Police Department
954.828.5659 | GMartin@FortLauderdale.gov

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Training Class #2
TRAINING ORDER

DATE: October 15, 2018

TO: Operations Bureau/Acting Captain C. Stone

FROM: Chief of Police/R. Maglione

SUBJECT: Managing Multiple Priorities, Projects and Deadlines

D. Blackwood, 1768, is ordered to attend the above-mentioned course at Crowne Plaza Airport, 455 State Road 84, Fort Lauderdale, FL 33316 on October 19, 2018 from 9:00AM – 4:00PM

The fee for this course is $199.00 paid by P-Card issued to B. Brown payable to SkillPath/NST and charged to POL030101/4116.

Attendance on city time has been approved for mandatory retraining.

Please make the necessary arrangements.

Note: FLPD Policy and Procedure 107.1 requires any absence from a mandatory training assignment will have prior approval from a Bureau Commander.

Note: FLPD Policy and Procedure 117.1 requires appropriate business attire or uniform will be worn, unless an exception is made for specialized training.

RM/mj

cc: Operations Bureau/Assistant Chief D. MacDougall
    Operations Bureau/Acting Major S. Scelfo
    Operations Bureau/Lt. G. Martin
    Operations Bureau/Sgt(s). D2/82
    Training Unit/Sergeant D. Greenlaw
Managing Multiple Priorities, Projects and Deadlines

Enroll Today!

Call 1-800-556-2998

Fax 913-967-8849

Online www.pryor.com

Mail Fred Pryor Seminars P.O. Box 219468 Kansas City, MO 64121-9468

Gain more control over your time, tasks and priorities than you ever thought possible!

Prioritize crucial projects, manage conflicting demands, reduce pressure and master multiple tasks with confidence.

Discover Organizational Skills:
- Know when to multi-task and when to focus on one task for best results.
- Manage your priorities without conflict — even when answering to two or more supervisors.

Develop Smart, Legitimate Shortcuts:
- Addicted to technology? Use digital tools to boost your productivity, not distract you.
- Delegate work and responsibility — and be assured things will get done right and on time.

Manage Stress Caused by the Multiple Demands on Your Time:
- Present a cool demeanor when the heat is on — and gain control of the situation.
- Get your work done on time so that you can enjoy a healthy work-life balance.
A. INTRODUCTION

Effective law enforcement depends upon a high degree of cooperation and respect from the public that is served. The Police Department is the most conspicuous representative of government and, as such, is a symbol of stability and authority upon which the citizens can rely. We must be constantly mindful that the people with whom an officer comes into contact are individuals with varying problems and emotions, but regardless of their circumstances they are entitled to fair and courteous treatment by Police Department employees. Proper conduct is not an additional duty imposed on employees, but is inherent in the police profession. Since any neglect of or divergence from this standard of conduct reflects unfavorably on the Department and fellow employees, it is incumbent on all personnel to conduct themselves in an exemplary manner, maintaining the highest standards of performance, efficiency, and competence, which the citizens of our community expect and deserve.

The Rules of Conduct contained in this manual are promulgated in addition to the City of Fort Lauderdale Personnel Rules, an existing labor agreement, or both. They are adopted for the administration, management, discipline and disposition of employees of the Fort Lauderdale Police Department.

The Rules of Conduct of the Fort Lauderdale Police Department, including any subsequent additions, deletions, corrections, or modifications are made applicable to all employees and volunteers of the Department, unless stated otherwise. In the event of a breach of these rules or the engagement in activities that constitute a conflict of interest, it shall be presumed that the employee or volunteer had knowledge of and was familiar with any rule, order, or directive of the Department. Violation of any rule may result in disciplinary action. These Rules of Conduct supersede all other previous Rules of Conduct.

B. DEFINITIONS

1. POLICY: A "policy" is a definite course or method of action selected from among alternatives, and in light of given conditions, to guide and determine present and future decisions. It is an overall plan embracing the general goals and acceptable procedures of the Police Department. It is formulated by analyzing objectives and determining through research those principles, which will best guide the Department in achieving its objectives. Policy is based upon police ethics and experience, the desires of the community, and the mandates of the law.
2. PROCEDURE: A "procedure" is a method of performing an operation or a manner of proceeding on a course of action. It differs from policy since it requires that action be taken in a particular situation to perform a specific task within the broader guidelines of a policy.

3. RULE: A "rule" is a specific written prohibition or requirement designed to prevent deviations from policy or procedure.

4. CONDUCT: "Conduct" is an act of personal behavior based on certain principles.

5. DISCIPLINE: "Discipline" is a form of training dependent for its success on the ability of superiors to train subordinates to obey and conform to Department policies, procedures and rules.

6. DEPARTMENT: The "Department" is the Fort Lauderdale Police Department.

7. DIRECTIVE: A "directive" is any rule, regulation, procedure, policy, order, statement, or similar instruction, in writing, issued on the authority of the Chief of Police and made applicable to any employee of the Department.

8. SUPERVISOR: A "supervisor" is any officer holding rank above that of police officer, who has authority to oversee the activities of other employees. The term includes any officer appointed to an acting supervisory capacity and any civilian City employee designated as a supervisor.

9. ORDER: An "order" is any lawful instruction or command given by a supervisor of the Department to another Department employee. This includes any order relayed to the employee by another employee of the same or higher rank. The order may be oral or written.

10. CHAIN OF COMMAND: "Chain of command" means that lines of authority which provide for a logical flow of policies, orders, reports, and information in an upward direction. In addition to the civilian supervisory structure, the Police Department has a rank structure of Police Officer/Detective, Sergeant, Lieutenant, Captain, Major, Assistant Chief and Chief.

11. COMMAND PROTOCOL:

a. The normal day-to-day operations of the Police Department are delegated to members or units within the Department charged with their specific tasks. Each subdivision of the Department shall function within the framework as delineated in the Department organizational chart. The Chief of Police is ultimately responsible for normal day-to-day Department operations.

b. When a planned operation involves two or more subdivisions, the subdivision supervising the operation will be determined during the planning stage. The Assistant Chief of that subdivision, or his designee, will be in charge of the operation.
c. In all exceptional or unplanned spontaneous incidents, the ranking
member present shall be in charge until relieved by a member of the unit
responsible for follow up investigation or conclusion of the case who shall
be in charge until relieved by a higher ranking member of that unit. The
member in charge will coordinate with the appropriate divisions and
bureaus.

12. UNITY OF COMMAND: All Police Department employees will be assigned and
accountable to one supervisor at any given time. All employees still maintain the
responsibility to respond to orders issued by any supervisor. (See Conflicting
Orders)

13. CHIEF OF POLICE: In his absence, the Chief of Police shall designate an Acting
Chief of Police. In the event that the Chief of Police is incapacitated and unable to
designate a replacement, the Assistant Chief of the Operations Bureau shall
assume the position of Acting Chief of Police, until the return of the Chief of
Police or a replacement is designated by the City Manager. For the purpose of
these rules, the “Chief of Police” shall mean and include the Chief of Police, and
any employee acting in the capacity of the Chief during the absence of the Chief.

14. UNLAWFUL OR CONFLICTING ORDERS: An employee who has been given
an order which is unlawful or in conflict with a previous rule, order or directive
shall respectfully inform the supervisor issuing the order of the unlawfulness or
conflict.
   a. If the supervisor issuing the order does not alter or retract the unlawful
      order, the responsibility will stand with the officer to immediately notify
      another superior officer of the refusal to obey the unlawful order.
   b. If the supervisor issuing the order does not alter or retract the conflicting
      order, the new order shall stand. The responsibility for the conflict shall lie
      with the supervisor.
   c. The employee shall obey the new order and shall not be held responsible
      for disobedience of the rule, order or directive previously issued.

15. SUPERVISORY/EMPLOYEE INTERVIEW FORM: A “Supervisory/Employee
interview form” is a written record of an employee interview (oral) conducted by
a supervisor to inform an employee that desirable/undesirable conduct or
performance has been noted. The interview form has, as its objective, improved
performance or attitude on the part of the employee and shall not be considered a
disciplinary action. Members will be given written notice of substandard
performance prior to the end of the rating period.

16. LETTER OF REPRIMAND: A “letter of reprimand” is a formal, written notice to
an employee, characterized by an account of conduct which is not in keeping with
the rules, orders, or directives of the Department and which indicates that an
employee, who repeats or persist in such conduct, may face a more severe form of
disciplinary action.
C. APPLICABILITY

Employees of the Department, regardless of rank, shall be subject to disciplinary action according to the nature or aggravation of the violation or offense for; failing (whether intentionally, through negligence or incompetence) to perform the duties of their rank or assignment, or for violation of any rule, order or directive of the Department, or for failure to obey any order or directive of a superior officer, or upon conviction of a crime or offense in a court having criminal jurisdiction regardless of whether adjudication is withheld. Disciplinary action will be decided on the merits and circumstances of each case.

D. IMPLEMENTATION PROCESS

1. Disciplinary Process:

   Any officer or employee of the Department shall be subject to a written reprimand, suspension from duty with or without pay, demotion, dismissed from the Department, or any one or more of the foregoing actions according to the nature and severity of the violation. Written counseling and discipline shall be administered in the following manner.

   a. Sergeants and Civilian Supervisors are empowered to author and issue Supervisory/Employee Interview forms. Routing process will be via the employee’s chain of command, with each command level placing their initials on the form, to the Office of Internal Affairs. The Office of Internal Affairs will then forward the form to the employee’s personnel file.

   b. Assistant Chiefs, Majors, Captains, Lieutenants and Civilian Managers are empowered to issue Supervisory/Employee Interview forms, and make recommendations to the Chief of Police for written reprimands, suspensions, demotions and dismissals.

   c. The Chief of Police is empowered to issue Supervisory/Employee Interview forms, written reprimands and make recommendations to the City Manager for suspension, demotion or dismissal. The Chief shall have the power to veto any disciplinary action of a subordinate.

   d. The City Manager is empowered to issue Supervisory/Employee Interview forms, written reprimands, and order suspension from duty with or without pay, layoff, demotion, or dismissal from the Department (as provided in the Civil Service Rules and existing labor agreement). A copy of any interview form or letter or reprimand, and a record of any other disciplinary action shall be delivered to and signed by the employee affected and placed in the appropriate file.

2. Appeals: (The following procedures shall not apply to any employee covered by an existing labor agreement.)
a. A Supervisory/Employee Interview form may be appealed orally or in writing only two (2) levels in the chain of command above the issuing authority. There shall be no further appeal.

b. A letter of reprimand may be appealed through the chain of command. The Chief of Police will be the final appeal for all letters of reprimand.

c. An appeal of any suspension, demotion, or dismissal shall be processed through the Civil Service Department as provided in the Civil Service Rules and the City Policy and Standards Manual, and existing labor agreements (See Section P.S.M. 6.7.1).

d. An informal appeal to the City Manager may be granted for a suspension, demotion, or dismissal if the request is made in writing within five (5) days of written notice to the affected employee of the action to be taken.

3. Relief From Duty Or Administrative Leave:

a. An employee may be relieved from duty, with pay or reassigned to limited duty, if a supervisor determines such action to be in the best interests of the City, the employee, or the general public. Examples of why a supervisor may relieve an employee from duty include but are not limited to fitness for duty issues, emotional distress, etc.

   (1). Any supervisor may relieve from duty, with pay or reassign to limited duty, an employee of lower rank.

   (2). A supervisor in Internal Affairs may relieve from duty, with pay, any employee, regardless of rank, except for the Police Chief.

   (3). Relief from duty will be made in writing, one copy of which shall be provided to the employee, and a second copy shall be provided to the Office of Internal Affairs.

b. Any relief from duty exceeding one (1) week will be confirmed to the employee by the Chief of Police in writing. Unless instructed otherwise, the employee shall report to his district or unit supervisor the next duty day for assignment. After being relieved from duty, an employee shall not:

   (1). Take any official police action.

   (2). Work any off-duty police employment.

   (3). Wear a police uniform

   (4). Be armed

   (5). Operate a City-owned vehicle
c. Any employee relieved from duty will be responsible for court attendance, if subpoenaed.

E. CONDUCT

1. Attendance for Duty:
   Failure to be present for duty as scheduled.

2. Being an accessory to a disciplinary offense prohibited:
   Aiding, abetting, assisting, or soliciting another Department employee in any violation, or to commit a violation of a rule, order, or directive.

3. Breach of confidence prohibited:
   a. Communicating or giving police information to another which may hinder an investigation.
   b. Divulging any information, without authority, relating to the business of the department or to an investigation being conducted.
   c. Participating in a speaking engagement or attending a convention as an official representative of the department without prior approval or authority.
   d. Permitting any person, who is not a member of the department, to use an official badge or credentials.
   e. To regularly or continuously associate or have dealings with a person whom an employee knows to be under active criminal investigation or indictment, or who has a reputation in the community or the department for present involvement in felonious or criminal behavior, except as necessary in the performance of official duties.

4. Corrupt practices prohibited:
   a. Acceptance of a bribe.
   b. Failure to account for or to make prompt and true return of any money or property received, found, or confiscated in an official capacity.
   c. Illegal gambling or being present at an illegal gambling game except for the purpose of an official police investigation.
   d. Participating in any advertising scheme or enterprise related to or based upon employment with the Department, or permitting the use of any photograph associated with, or the name of the City or a City employee for advertising purposes without the permission of the Chief of Police.
e. Receiving or retaining for personal use any property or evidence which has been discovered, gathered, or received in connection with a Department function.

f. Soliciting a reward, present, or gratuity.

g. Soliciting a special privilege or using position for personal gain or private advantage or for the advantage of another.

5. Politica. Practices, on or off duty, soliciting, campaigning, lobbying, prohibitions:

a. When representing the Department, either on or off duty, employees shall not engage in any political activity, solicit or receive any assessment, subscription, or contribution for any political party or purpose; or store, post, carry, or distribute political material of any nature in or on any municipal building, office facility, or vehicle.

b. While on-duty or while wearing an identifiable Fort Lauderdale Police uniform, employees shall not endorse a particular candidate or political issue in any way.

c. While as a private citizen, employees will not state or imply in any way that their political views represent the Fort Lauderdale Police Department.

d. The name of the Fort Lauderdale Police Department is not authorized to be used in any campaign literature as an endorsement. Police Department equipment, uniform, or insignia are not authorized to be used in any political campaign.

c. This section is not intended to preclude the Fraternal Order of Police (FOP) from conducting normal day-to-day operations.

6. Damage to city property prohibited:

a. Failing to report any theft or loss of or damage to any property owned by the City.

b. Carelessly, negligently, or intentionally causing waste, loss or damage to any City property.

7. Disobedience to orders prohibited:

a. Failure to promptly obey an order of a superior.

b. Disobedience of any rule, order, or directive.

8. Falsehood prohibited:

a. Altering or erasing any entry in any official report, record, or document.
b. Falsification of an official report.

c. Knowingly making or signing any false or inaccurate statement in any official investigation, report, or record, or attempting to induce or cause another to do so.

d. Untruthfulness.

e. Making any false complaint or statement against any employee of the Department.

9. Intemperance prohibited:

a. Being unfit for regular duty due to consumption of intoxicating liquor or any chemical agent.

b. Consuming an intoxicating beverage while in uniform or on duty except in the performance of duty.

c. Unlawful use of a controlled substance such as cannabis.

10. Insubordinate or oppressive conduct prohibited:

a. Physical assault or battery on any member of the Department.

b. Public criticism or expression of a personal complaint or grievance while on duty or in an official capacity, or in uniform, of a Department rule, order, directive, operations of the Department, or official action of a supervisor when such criticism or expression is not a matter of public concern.

c. Disrespect to a superior officer by overt actions.

d. Failure to address a superior by his or her rank.

e. Failure to promptly report misconduct of any City employee, including any violation of a Department rule, order, or directive to an immediate supervisor or the Office of Internal Affairs.

f. Failure to follow the chain of command, beginning with the immediate supervisor.

g. Insubordination by word, act or deed.

h. Refusal to give name, badge or CCN number, or both, upon request of any person.

i. Use of abusive or insulting language to any employee of the Department.

j. Oppressive or tyrannical conduct towards a subordinate.
11. Malingering prohibited:
   a. Doing or committing any act which delays return to duty.
   b. Feigning or exaggerating sickness or injury.

12. Misconduct Defined: Any of the following, in addition to the foregoing and to the Personnel rules, may constitute misconduct.
   a. Failure to know a law or ordinance which an officer or employee is sworn to uphold.
   b. Failure to enforce a law or ordinance which an officer or employee is sworn to uphold.
   c. Failure to know a rule, order, or directive governing the operation of the Department.
   d. Engaging in conduct unbecoming a police officer/Police Department employee.
   e. Being convicted of a violation of law or ordinance in a court of criminal jurisdiction, regardless of whether adjudication is withheld.
   f. Misusing City property or equipment.
   g. Unauthorized access, use, dissemination, sharing or copying of information from law enforcement databases or web sites not related to legitimate business purposes. Examples of official law enforcement sites are, DAVID, FCIC, NCIC, DOJ, DJJ etc. This includes, but is not limited to, idle curiosity and other personal use.
   h. Intentionally disconnecting, manipulating, altering or disabling the intended function of any Department owned or installed hardware, software or technology or allowing another person to do so.
   i. Cowardly conduct.
   j. Conduct prejudicial disruptive to the good order of the Department.
   k. Indulging in a practice or habit resulting in a physical or mental inability to perform police duties.
   l. Knowingly visiting, entering, or frequenting a house of prostitution, illegal gambling house, or establishment in which a law of the United States, the State or a local jurisdiction is regularly violated, except in the performance of duty.
   m. While in uniform or while wearing any recognizable portion of a uniform, to enter or remain in any establishment the primary purpose of which is
the sale and consumption of alcoholic beverages, except while conducting official police duties.

n. Failure to answer questions of a superior officer or an investigator assigned to the Office of Internal Affairs concerning Department administration matters or conduct relating to the performance of official duties.

o. Failure to report off-duty police interaction.

13. Neglect of duty prohibited:

a. Permitting a prisoner to escape by carelessness or negligence.

b. Leaving assigned area or post without being relieved or authorized by a supervisor.

c. Incompetence.

d. General inefficiency.

e. Unsatisfactory performance: Unsatisfactory performance may be demonstrated by, but is not limited to; an unwillingness or inability to perform assigned tasks, failure to take appropriate action on the occasion of a crime, disorder, or any other matter deserving police attention, repeated poor evaluations or a written record of repeated infractions of rules, order, or directives of the Department.

f. Failure to file a police report promptly.

g. Failure to conduct a complete or proper police investigation.

h. Failure to conduct a complete or proper search.

i. Sleeping while on duty.

j. Failure to report information or evidence concerning a suspect or defendant in connection with a criminal proceeding.

k. Neglect in promptly and diligently attending to and discharging the duties of office.

l. Failure to acquire information from the daily police bulletin or at a briefing.

m. Failure to promptly respond to a dispatch or radio call. All on-duty personnel and those personnel working off-duty police details shall have their radio on for the district in which he or she is working and shall be attentive to same to assure availability for police service unless directed otherwise by a supervisor.
n. Engaging in off-duty employment without proper authorization.

o. Each Police Department employee is required to have a telephone at which he/she may be reached as situations require. This telephone number and his/her correct residential address must be kept on file at the Department and any change in such address and/or telephone number must be reported immediately after making such change. All Department personnel, whose primary or collateral assignment is subject to call-out, must have a mobile phone with texting capability.

p. Failure to supervise effectively.

14. Neglect of personal appearance prohibited:
   a. Neglect of personal appearance or dress.
   b. Neglecting to wear proper uniform while on duty.

15. Unlawful or unnecessary exercise of authority prohibited:
   a. Discourtesy, insolence, or acting in an uncivil manner by word or act to any member of the public while acting in an official capacity.
   b. Use of vulgar, obscene, or offensive language while acting in an official capacity.
   c. Intentionally making an unlawful arrest.
   d. Careless or reckless use of a firearm, baton, or other weapon.
   e. Unnecessary use of force.
   f. Excessive response to resistance.
   g. Carrying or using any unauthorized equipment.

F. Reporting police interaction
   a. Employee's Duties
      (1). Employees shall advise the Duty Lieutenant, as soon as practical, when they have been the suspect/subject of any police action/investigation while off duty, with the exception of a non-criminal traffic investigation.
      (2). The only information required from the employee is the date, time, location, responding agency and the case number, if available.
b. Supervisor's Duties

(1). The Duty Lieutenant, when notified of an employee being the suspect/subject of any police action/investigation while off-duty, shall immediately notify the Major of Internal Affairs and the Bureau Assistant Chief.